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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No.: 2:16-cr-00005-RFB  
vs. )  
RICHARD SCAVONE, )  
Defendant. )  
\_\_\_\_\_  
**STIPULATION TO CONTINUE  
REVOCATION HEARING**  
**(SEVENTH REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between BRIAN J. SMITH, counsel for RICHARD SCAVONE, Christopher Chiou, Acting United States Attorney, and NICHOLAS D. DICKINSON, Assistant United States Attorney, that the revocation hearing currently scheduled for July 27, 2021, at the hour of 11:00 a.m., be vacated and set to a date and time convenient to this court, but in no event earlier than sixty (60) days.

This Stipulation is entered into for the following:

1. The pending petition involves a New York State criminal charge. Defendant Scavone's scheduled court date in that matter is September 27, 2021, because of the COVID pandemic.
2. The parties anticipate Defendant Scavone's state case will affect the resolution of the pending petition.
3. Defendant Scavone, who is not in custody, agrees to the continuance.
4. Brian J. Smith, counsel for Scavone is in agreement with this continuance.

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- 2       5. Counsel for the government is in agreement with this continuance.
- 3       6. The additional time requested by this stipulation is made in good faith and not for  
4                  purpose of delay.
- 5       7. Additionally, denial of this request or continuance would result in a miscarriage of  
6                  justice.

7                  This is the seventh stipulation to continue filed herein.  
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9                  DATED this 26th day of July, 2021.

10                 RESPECTFULLY SUBMITTED BY:

11                 CHRISTOPHER CHIOU  
12                 Acting United States Attorney

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14                 \_\_\_\_\_  
15                 */s/ Nicholas D. Dickinson*  
16                 NICHOLAS D. DICKINSON, ESQ.  
17                 Assistant United States Attorney

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19                 \_\_\_\_\_  
20                 */s/ Brian J. Smith*  
21                 BRIAN J. SMITH, ESQ.  
22                 Attorney for SCAVONE

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

## **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

Based upon the submitted Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. The pending petition involves a New York State criminal charge. Defendant Scavone's scheduled court date in that matter is September 27, 2021, because of the COVID pandemic.
2. The parties anticipate Defendant Scavone's state case will affect the resolution of the pending petition.
3. Defendant Scavone, who is not in custody, agrees to the continuance.
4. Brian J. Smith, counsel for Scavone is in agreement with this continuance.
5. Counsel for the government is in agreement with this continuance.

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2                   **CONCLUSIONS OF LAW**

3       1. Denial of this request for continuance would deny the defendant sufficient time to be able  
4                   to fairly resolve his case, taking into account the exercise of due diligence.  
5       2. The additional time requested by this stipulation is made in good faith and not for  
6                   purpose of delay.  
7       3. Additionally, denial of this request or continuance would result in a miscarriage of  
8                   justice.

9                   This is the seventh stipulation to continue filed herein.  
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11                   **ORDER**

12                   **IT IS THEREFORE ORDERED** that the calendar call currently scheduled for July 27,  
13                   2021, at the hour of 11:00 a.m., be vacated and continued to October 12, 2021 at the  
14                   hour of 1:00 PM.

15                   DATED this 27th of July, 2021.  
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RICHARD F. BOULWARE, II  
18                   UNITED STATES DISTRICT JUDGE  
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